

A CERTIFIED TRUE COPY

APR 20 2006

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
ATTEST: *[Signature]*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
PRODUCTS LIABILITY LITIGATION (NO. VI)

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

APR - 4 2006

FILED
CLERK'S OFFICE

FILED

MAY - 2 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-261)

On July 29, 1991, the Panel transferred 21,937 civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 80,464 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable James T. Giles.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Giles.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of July 29, 1991, 771 F.Supp. 415 (J.P.M.L. 1991), and, with the consent of that court, assigned to the Honorable James T. Giles.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

APR 20 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

A TRUE COPY CERTIFIED TO FROM THE RECORD
DATED: 4-25-06

ATTEST: Tom Derspey

DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

**SCHEDULE CTO-261 - TAG-ALONG ACTIONS
DOCKET NO. 875
IN RE ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
CALIFORNIA NORTHERN CAN 3 06-318 CAN 3 06-692	Kenneth Wehr v. Northrop Grumman Ship Systems, Inc., et al. Kenneth Taylor v. Viad Corp., et al.
KENTUCKY WESTERN KYW 3 05-341	Pauline Marie Fleischman, etc. v. CSX Transportation, Inc.
MISSISSIPPI NORTHERN MSN 4 05-125	Dorothy Carroll, et al. v. Owens-Illinois, Inc.
NORTH CAROLINA MIDDLE NCM 1 06-163 NCM 1 06-164 NCM 1 06-185 NCM 1 06-186 NCM 1 06-187 NCM 1 06-188 NCM 1 06-189 NCM 1 06-190	Daniel Earl Byrd, et al. v. Aqua-Chem, Inc., et al. Allen D. McBride, et al. v. Aqua-Chem, Inc., et al. Clarence D. Simmons, et al. v. Aqua-Chem, Inc., et al. Delilah Marie McClester v. Aqua-Chem, Inc., et al. Gordon Freeman Ashburn, Sr., et al. v. Borg-Warner Corp., et al. Joann T. Kerr, etc. v. Aqua-Chem, Inc., et al. Jospeh P. McSwaim, et al. v. Aqua-Chem, Inc., et al. Robert C. Fitzgerald, et al. v. Aqua-Chem, Inc., et al.
NORTH CAROLINA WESTERN NCW 1 06-37 NCW 1 06-40 NCW 1 06-42 NCW 1 06-46 NCW 1 06-47 NCW 1 06-50 NCW 1 06-53 NCW 1 06-54 NCW 1 06-55 NCW 1 06-56 NCW 1 06-57 NCW 1 06-58 NCW 1 06-64	Warren K. Hancock v. Anchor Packing Co., et al. Johnny D. Garren, et al. v. Aqua-Chem, Inc., et al. Otis Eddy Jones, et al. v. Aqua-Chem, Inc., et al. Kenneth E. Smith, et al. v. A.W. Chesterton, Inc., et al. Jerry W. Shuford, et al. v. A.W. Chesterton, Inc., et al. John Beatty Barber, Jr. v. Aqua-Chem, Inc., et al. Lewis Samuel Barker, et al. v. Aqua-Chem, Inc., et al. Roger Terry McClure, et al. v. Aqua-Chem, Inc., et al. Gregory Lee Branch v. Aqua-Chem, Inc., et al. Horace Lee Winslett, III, et al. v. Aqua-Chem, Inc., et al. Esther Nichols, et al. v. Aqua-Chem, Inc., et al. Steve David McCurry, et al. v. Aqua-Chem, Inc., et al. Joey Dale Reep, et al. v. Aqua-Chem, Inc., et al.
SOUTH CAROLINA SC 0 06-478 SC 0 06-481 SC 0 06-487 SC 0 06-500 SC 0 06-502 SC 0 06-566 SC 0 06-569 SC 7 06-563 SC 7 06-571 SC 8 06-479 SC 8 06-565 SC 8 06-574	Clifton H. McMullan, et al v. Aqua-Chem, Inc., et al. Frank Gilliam, et al. v. Aqua-Chem, Inc., et al. William A. Vincent, Jr., et al. v. Aqua-Chem, Inc., et al. Robert L. Toole, Sr., et al. v. Aqua-Chem, Inc., et al. Brion A. Tolbert, et al. v. Aqua-Chem, Inc., et al. Jack Wilson Carroll v. Aqua-Chem, Inc., et al. Chris Dunlap Davis, et al. v. Aqua-Chem, Inc., et al. Dever Edward Solmon, Sr., et al. v. Aqua-Chem, Inc., et al. Dane Lee Phillips, et al. v. Aqua-Chem, Inc., et al. Travis James Land v. Aqua-Chem, Inc., et al. James Edward Wheeler, et al. v. Aqua-Chem, Inc., et al. Sonya Sprout, etc. v. Aqua-Chem, Inc., et al.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
US COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1797

MICHAEL E. KUNZ
CLERK OF COURT

April 25, 2006

CLERK'S OFFICE
ROOM 2609
TELEPHONE
215-897-7704

RECEIVED

Richard W. Wierking, Clerk
U.S. District Court for the
Northern District of California
450 Golden Gate Avenue
P.O. BOX 36060
San Francisco, CA 94102-3489

MAY - 2 2006

RICHARD W. WIERKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION
MDL 875 Transfer Order; CTO-261

C 06 - 0318 MJJ

Dear Clerk:

The enclosed Conditional Transfer Order is being sent to you regarding the involved actions listed on this CTO. These cases have been properly identified as multi district litigation asbestos cases. However, pursuant to the opinion and order of 7/29/91, 771 F.Supp. 415, our court is not accepting the original records and/or docket responsibility on the involved 93,000 actions.

PLEASE DO NOT FORWARD A CERTIFIED DOCKET OR
A CERTIFIED COPY OF THE TRANSFER ORDER TO THIS DISTRICT.

Please continue to process the litigation in your court, per the opinion, pretrial and administrative orders. If you have any questions please contact me at (267) 299-7018.

Sincerely,

MICHAEL E. KUNZ
Clerk of Court

Tom Dempsey

Tom Dempsey
MDL Docketing Clerk

Enclosure